

1 JUDGE JOHN H. CHUN
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12 UNITED STATES DISTRICT COURT
13 WESTERN DISTRICT OF WASHINGTON
14 AT SEATTLE

15 UNITED STATES OF AMERICA, } No. CR23-097-JHC
16 }
17 Plaintiff, }
18 }
19 v. }
20 DAVID WAYNE SAGEBARK, JR., }
21 }
22 Defendant. }

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24 THE COURT has considered David Sagebark's unopposed motion to continue
25 the trial date and extend the pretrial motions deadline and finds that:

26 (a) taking into account the exercise of due diligence, a failure to grant a
1 continuance in this case would deny counsel for Mr. Sagebark the reasonable time
2 necessary for effective preparation due to counsel's need for more time to review the
3 evidence, consider possible defenses, and gather evidence material to the defense, as set
4 forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

5 (b) a failure to grant such a continuance in this proceeding would likely result in
6 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

7 (c) the additional time requested is a reasonable period of delay, as counsel for
8 Mr. Sagebark has requested more time to prepare for trial, to investigate the matter, to
9 gather evidence material to the defense, and to consider possible defenses; and

10 (d) the ends of justice will best be served by a continuance, and the ends of
11 justice outweigh the best interests of the public and Mr. Sagebark in any speedier trial,
12 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

1 (e) the additional time requested between the current trial date of March 11,
2 2024, and the new trial date is necessary to provide counsel for Mr. Sagebark the
3 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
4 the facts set forth above; and

5 (f) the period of delay from the date of this order to the new trial is excludable
6 time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

7 IT IS ORDERED that the trial date in this matter shall be continued to
8 November 18, 2024, and that pretrial motions shall be filed no later than October 7,
9 2024.

10 DONE this 13th day of February 2024.

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13 JOHN H. CHUN
14 UNITED STATES DISTRICT JUDGE

15 Presented by:
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17 s/ Andrew Kennedy
18 Assistant Federal Public Defender
19 Attorney for David Wayne Sagebark, Jr.